

presented as a clean version after acceptance of the marked-up changes. Applicant requests that the Specification filed on September 15, 2003 be cancelled and that the clean version of amended Specification herewith be entered as substitute Specification.

## **REMARKS**

### **Establishing Right to Take Action:**

Examiner has stated that no assignment papers, including statement under 37 CFR 3.73(b), had been found.

Applicant respectfully provides copies of papers included in duplicate within the application as filed on September 15, 2003.

Applicant is pleased to include herewith newly-executed statement under 37 CFR 3.73(b).

### **Specification Objections:**

The specification was objected to because a less than complete description of the plant was presented. Accordingly, the specification has been amended along the lines of the examiner's suggestions to more clearly and completely describe the plant. It is respectfully requested that the specification objection be withdrawn.

### **Rejection Under 35 U.S.C. 112:**

The claim was rejected under 35 USC 112 as not being supported by a clear botanical description. Accordingly, the botanical description has been amended to more

clearly describe the plant. It is respectfully requested that the 112 rejection be withdrawn.

**Conclusion:**

The Examiner's attention to each of the parts of the patent application is greatly appreciated.

The claimed plant is now believed to be in condition for allowance.

Respectfully submitted,

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